

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION**

UNITED STATES OF AMERICA,)	
Plaintiff,)	COMPLAINT FOR
)	FORFEITURE <i>IN REM</i>
v.)	
)	Civil Action No.: 3:18cv415
APPROXIMATELY \$16,037 IN FUNDS)	
SEIZED FROM RODALE LAMONT)	
ALLEN,)	
Defendant.)	

Now comes the United States of America, Plaintiff herein, by and through R. Andrew Murray, United States Attorney for the Western District of North Carolina, in a civil cause of forfeiture, and respectfully states the following:

INTRODUCTION

1. This is a civil action *in rem* against approximately \$16,037 in United States Currency seized from Rodale Lamont Allen which, upon information and belief, was used to transport or to facilitate the transportation, sale, receipt, possession or concealment of controlled substances, in violation of 21 U.S.C. § 841, is subject to forfeiture to the United States. 21 U.S.C. §881(a)(4).
2. Procedures for this action are mandated by 21 U.S.C. § 881, 18 U.S.C. §983, 19 U.S.C. §§ 1602-1621 and, to the extent applicable, the Supplemental Rules for Admiralty or Maritime Claims and Asset Forfeiture Actions. This Court has jurisdiction over this matter by virtue of 28 U.S.C. §§1345 and 1355.
3. This Court has venue in this matter pursuant to 28 U.S.C. §1395.
4. The defendant property has been seized on land, is now within, and during the pendency of this action will remain within the Western District of North Carolina.

5. The Defendant is all present and future interest in the following property:
 - a. approximately \$16,037 seized from Rodale Lamont Allen at his residence located at 2659 Nelda Dive, Apartment G, Monroe, NC, 28112.

FACTUAL BACKGROUND

1. As part of an ongoing investigation into drug trafficking with the Federal Bureau of Investigation, on February 28, 2018, Monroe Police Department Detective Chris Helms received a drug complaint from a concerned citizen.
2. The Complaint was related to the address 2659 Nelda Drive, Apartment G, Monroe, NC 28112.
3. Detective Helms was told that an African-American male believed to be Rodale Lamont Allen was selling illegal items, including marijuana, from his apartment at the specified address.
4. Detective Helms was also told that there was a significant amount of foot and vehicle traffic in and out of Allen's residence.
5. Following receipt of the citizen complaint, the Monroe Narcotics Unit with the assistance of the Monroe Community Intervention team conducted surveillance at 2659 Nelda Drive, Apartment G.
6. During their surveillance, the Monroe Narcotics Detectives observed a vehicle pull into the front of 2659 Nelda Drive Apartment G.
7. The driver then exited the vehicle, walked up the stairs of building 2659 and knocked on Apartment G.
8. When the front door of Apartment G opened the driver of the vehicle walked in and the door was closed.

9. The driver of the vehicle left 2659 Nelda Drive, Apartment G after remaining inside for approximately seven (7) minutes.
10. The driver then returned to his vehicle where he was followed by Monroe Detectives.
11. Officer A. Greene of the Monroe Police Department initiated a traffic stop on the suspect vehicle.
12. During the stop, Officer Greene detected the odor of marijuana emitting from within the subject vehicle.
13. Officer Greene located and seized approximately 28 grams of marijuana in a clear vacuum-sealed bag.
14. Shortly after the seizure of the 28 grams of marijuana, the Monroe Narcotics Detectives again observed a vehicle pull into the front of 2659 Nelda Drive Apartment G.
15. The driver then exited the vehicle, walked up the stairs of building 2659 and knocked on Apartment G.
16. When the front door of Apartment G opened the driver of the vehicle walked in and the door was closed.
17. The driver of the vehicle left 2659 Nelda Drive, Apartment G after remaining inside for approximately nine (9) minutes.
18. The driver then returned to his vehicle where he was followed by Monroe Detectives.
19. Detective J. Clarke of the Monroe Police Department initiated a traffic stop on the suspect vehicle.
20. During the stop, the Officer detected the odor of marijuana emitting from within the subject vehicle.

21. An Officer located and seized approximately 14 grams of marijuana in a clear vacuum-sealed bag.
22. On March 7, 2018, Detectives applied for a Search Warrant for 2659 Nelda Drive, Apartment G, Monroe, NC 28112.
23. On March 7, 2018, the Hon. Christopher Bragg, Union County Superior Court Judge, issued a search warrant for the residence.
24. On March 7, 2018, the Monroe Deputies contacted FBI Task Force Officer Barney Malone via phone and he assisted and directed Officer S. Baucom as he executed the search warrant at the residence.
25. During the search approximately 2,052 grams of marijuana were uncovered and seized.
26. A large sum of US Currency, approximately \$16,037.00, located along with the marijuana, was also seized.
27. Allen was taken into custody and charged with Possession with Intent to Distribute Schedule IV substances, Felony Possession of Marijuana, Felony Maintaining of a Dwelling Place, and Possession of Drug Paraphernalia.

PRAYER FOR RELIEF

28. By virtue of the foregoing, all right, title, and interest in the defendant property vested in the United States at the time of the commission of the unlawful act giving rise to forfeiture, 21 U.S.C. §881(h), and has become and is forfeitable to the United States of America.
29. Upon information and belief, the following persons may have or claim an interest in the defendant property:

Rodale Lamont Allen
2659 Nelda Drive
Apartment G, Monroe, NC 28112

Lance Williams, Esq.
Minick Law Firm
P.O. Box 1055
Gastonia, NC 28053

WHEREFORE, the United States of America respectfully prays the

Court that:

- (1) a warrant for the arrest of the Defendant be issued;
- (2) due notice be given to all parties to appear and show cause why the forfeiture should not be decreed;
- (3) judgment be entered declaring the defendant to be condemned and forfeited to the United States of America for disposition according to law; and
- (4) the United States be granted such other and further relief as this Court may deem just and proper, together with the costs and disbursements of this action, including but not limited to the expenses of maintenance and protection of defendant property as required by 28 U.S.C. §1921.

Respectfully submitted, this the 27th Day of July, 2018.

R. ANDREW MURRAY
UNITED STATES ATTORNEY

/s/ Tiffany Mallory Moore
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FOR THE WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION**

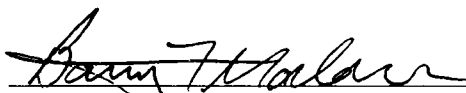
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VERIFICATION

Barney Malone deposes and says under penalty of perjury;

I am a Task Force Officer with the Federal Bureau of Investigation and one of the agents assigned to this case.

I have read the foregoing Complaint and the factual information contained therein is true according to the best of my knowledge, information, and belief.



TFO Barney Malone

STATE OF NORTH CAROLINA
COUNTY OF MECKLENBURG

I certify that Barney Malone personally appeared before me this day, acknowledging to me that he signed the foregoing document.

This the 27th day of July, 2018.

Renee R. Elam
Notary Public
My Commission Expires: Sept. 25, 2021

